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7 **UNITED STATES DISTRICT COURT**
8 **DISTRICT OF NEVADA**
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10 UNITED STATES OF AMERICA,

11 Plaintiff,

12 v.

13 MICHAEL LEE STEVENS,

14 Defendant.

Case No. 2:04-CR-00454-KJD-RJJ

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17 **ORDER**

18 Presently before the Court are Defendant Stevens' Motions for Production of Documents
19 (#62/65) and Motion to Withdraw Counsel (#67). Stevens seeks production under Federal Rule of
20 Civil Procedure 34 all of the documents and discovery related to his case. However, Defendant has
21 served his sentence and any term of supervised release. The judgment in his case has been final for
22 more than three years. Accordingly, Defendant cannot seek relief from his criminal conviction under
23 28 U.S.C. § 2255, because any motion filed would be untimely. Further, Rule 34 does not apply to
this closed, criminal action. However, Plaintiff's request to dismiss his counsel is granted.

24 Accordingly, IT IS HEREBY ORDERED that Defendant Stevens' Motions for Production of
25 Documents (#62/65) are **DENIED**;

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1 IT IS FURTHER ORDERED that his Motion to Withdraw Counsel (#67) is **GRANTED**.
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5 DATED this 5th day of August 2016.
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Kent J. Dawson
United States District Judge